

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PETER MOREY, D.V.M.,

Plaintiff,

VS.

Civil Action No. 04-CV-10924-NMG

**HEALTHY PET CORPORATION OF
MASSACHUSETTS AND HEALTHY
PET CORPORATION,**

Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties hereby dismiss the above-entitled action and all claims asserted therein, with prejudice and without costs, with all rights of appeal to be waived.

PETER MOREY, D.V.M.

**HEALTHY PET CORPORATION OF
MASSACHUSETTS AND
HEALTHY PET CORPORATION,**

By his attorney,

By their attorneys,

/s/ Frank C. Muggia

/s/ David B. Wilson

Frank C. Muggia (BBO#555199)

David B. Wilson (BBO#548359)

FRANK C. MUGGIA & ASSOCIATES

ROBINSON & COLE LLP

6438 W. Quaker Street

One Boston Place

Orchard Park, New York 14127

Boston MA 02108

Tel 716-667-9700

Tel 617-557-5900

Dated: January 3, 2007

CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2007 I caused to be served a true and correct copy of the foregoing electronically to:

Frank C. Muggia, Esq.
Frank C. Muggia & Assoc.
6438 W. Quaker Street
Orchard Park, New York 14127

/s/ David B. Wilson